

Statutory Overview

Review of MITA, ITB, ITMC, and recent legislation

- 13 May 2013, ITMC Strategic Planning Session



Montana Information Technology Act

- Passed in 2001 in response to a LFC subcommittee study.
- Set up a federated structure:
 - Agencies responsible for fiscal and data issues
 - Center (DoA) responsible for overall planning and reporting
- Created the CIO and the ITB



DoA IT Responsibilities under MITA

- Provide IT leadership and representation
- Foster shared, innovative IT solutions
- Foster IT-driven economic development
- Create administrative rules
- Establish a State Strategic IT Plan and policies (and grant exceptions)
- Create a biennial report of information technology for the state.
- Approve Agency IT Plans and collect performance reports
- Review IT usage and approve IT procurements
- Coordinate with OBPP
- Operate a state data center and network
- Manage public safety communications
- Provide a state website and portal
- Provide assistance to all branches and agencies



Agency IT Responsibilities under MITA

Responsibilities	MCA
Create an Agency IT Plan	2-17-523
Create a Agency Performance Report	2-17-524
Security of data within the agency	2-15-114
Post information on who operates a website	2-17-552
Protect Social Security Numbers	2-6-502

Note: this does not include responsibilities under FISMA, HIPPA, FERPA, Pub 1075, or other regulation



DoA Security Responsibilities

- Set minimum security standards
- Generate guidelines to help agencies
- Create standards for the exchange of data between agencies
- Provide a training program
- Include security requirements in IT contracts
- Provide technical and managerial assistance



The “Nuclear Options”

- DoA may cancel or modify any contract, project, or activity that is not in compliance with the Statewide Strategic IT Plan, Agency Plan, or IT Policies (2-17-514, MCA)
- DoA may order the transfer of resources “as may be necessary” (2-17-531, MCA)



Information Technology Board (ITB)



ITB in statute

- Provide a forum to guide and share information among branches, agencies, and local government
- Advise on Contracts
- Review policies, the state IT strategic plan, major IT budget requests, DoA service rates, corrective actions, and transfer of resources
- Study future IT needs



ITB Membership

Ex Officio	By Appointment
Director of DoA	6 Agency Directors (by Governor)
CIO	1 Local Government Official (by Governor)
Director of OBPP	1 PSC Member (by PSC)
	1 Private Sector Member (by Governor)
	1 House Member (by Speaker of the House)
	1 Senate Member (by President of Senate)
	1 Legislative Representative (by Leg Planning Council)
	1 Judicial Representative (by Chief Justice)
	1 University System Representative (by Board of Regents)
	1 K-12 Representative (by OPI)



Information Technology Managers Council (ITMC)



ITMC Overview

- Created by order of the Director of DoA
- Purpose is to advise the DoA on IT issues in state government and improve management of IT resources.



ITMC Responsibilities

- Reviewing IT issues in state government
- Reviewing the State Strategic IT Plan
- Participating in IT policy development
- Exchanging ideas and concerns among IT professionals
- Providing a forum for maintenance of technical resources through education, career development, and sharing.



ITMC Membership

- State CIO
- 6 state IT managers, currently:
 - Administration
 - Justice
 - Corrections
 - Labor and Industry
 - Governor's Office
 - Commissioner of Securities and Insurance
- 1 Local Government Representative



Recent Legislation



2-6-502, MCA Procedure Requirements

- Eliminate the unnecessary use of SSN
- Identify authorized access to SSN and restrict access to unauthorized parties
- Identify redaction circumstances
- Dispose of documents consistent with other record retention requirements
- Eliminate the unnecessary storage and protect SSN on portable devices



SB 312

- First revision of MITA, modifying the “Policy” Section (2-17-505, MCA)
- States that IT is an asset
- Places cyber risk importance as prime, in some cases superseding monetary concerns
- Outlines data integrity and accuracy responsibilities
- Mandates IT as an avenue for government transparency
- Advocates greater use of electronic records
- Demands continual improvement initiatives to keep pace with emerging technologies



HJ2

- Creates an interim committee to study electronic records from 2013-2014
- Will look at
 - Costs and benefits
 - Funding sources
 - Methods for improving access
 - Use of public-private partnerships

